THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION NO.6126 OF 2006

DATED: 27-03-2006

Between:

Mohammed Javid Ahmed

Petitioner

And

The Commissioner, Municipal Corporation of Hyderabad, and others

Respondents

THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION NO.6126 OF 2006

ORDER:

It is the case of the petitioner that he is the tenant and is in possession of the mulgi bearing Municipal No.16-7-766/1 situated at Chaderghat, Hyderabad. It is stated that the petitioner is paying Licence fee to the Municipal Corporation of Hyderabad. It is further stated that the Municipal Corporation of Hyderabad has taken the road widening programme without initiating the proceedings under the relevant provisions of A.P. Municipalities Act (for short the 'Act'). If any lands of the owners are sought to be acquired for the purpose of road widening, the Municipal Corporation of Hyderabad has to follow the prescribed due procedure under Section 172(2) or 174 of the Act. It is stated that without following the due process of law and without giving any reasonable opportunity, the respondents started demolition work.

Having regard to the facts and circumstances of the case, the respondents are directed not to demolish or take away any portion of the petitioner and not to dispossess the petitioner without following the due process of law under Section 172 (2) or 174 of the Act.

The writ petition is accordingly disposed of. No costs.

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V.ESWARAIAH,J

27-03-2006

NOTE: C.C. in two days

Stp